

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN**

In re

CITY OF DETROIT, MICHIGAN

Debtor.

Chapter 9

Case No.: 13-53846

Hon. Steven W. Rhodes

***EX PARTE* MOTION OF THE CITY OF DETROIT FOR AN ORDER
AUTHORIZING IT TO FILE A CONSOLIDATED OBJECTION TO
APPELLANTS' MOTIONS FOR STAY PENDING APPEAL IN EXCESS
OF POTENTIALLY APPLICABLE PAGE LIMITS**

The City of Detroit, Michigan (the “City”), as the debtor in the above-captioned case, hereby moves the Court for the entry of an order authorizing the City to file its Consolidated Opposition to Appellants’ Motions for Stay Pending Appeal (“Consolidated Opposition”) in excess of the page limit imposed by either Rule 9014-1(e) of the Local Rules of the United States Bankruptcy Court for the Eastern District of Michigan, Rule 7.1(d)(3) of the Local Rules of the United States District Court for the Eastern District of Michigan, or Paragraph 3 of this Court’s

Order Establishing Motion Procedure (Dkt. No. 283) (“Motion Procedure Order”).¹

Jurisdiction and Venue

1. The Court has jurisdiction over this matter under 28 U.S.C. §§ 157 and 1334. This is a core proceeding under 28 U.S.C. § 157(b). Venue is proper in this district under 28 U.S.C. §§ 1408 and 1409.

Relief Requested

2. By this *ex parte* motion, the City seeks an order authorizing it to file its Response in excess of 25 pages, but not to exceed 35 pages.²

Basis for Relief

3. On November 19, 2014, this Court ordered that any party seeking a stay pending appeal must file a motion to that effect by Monday, November 24. *Order Regarding Motions for Stay Pending Appeal* (Dkt. No. 8350), at ¶ 1. It also

¹ The Consolidated Opposition responds to the *Motion for Limited Stay Pending Appeal* (Dkt. No. 8341) (the “Ochadleus Stay Motion”), John P. Quinn’s *Motion for Partial Stay Pending Appeal* (Dkt. No. 8413) (the “Quinn Stay Motion”), and the *Motion To Stay and Memorandum of Law on the Confirmation of the Plan and Opinion of Magistrate Judge Steven W Rhodes* (Dkt. No. 8426) (the “Williams Stay Motion”).

² It is unclear whether Rule 9014-1(e)’s 20-page limit, Rule 7.1(d)(3)’s 25-page limit, or the 30-page limit for “reply brief[s]” found in Paragraph 3 of the Motion Procedure Order applies here, so the City seeks relief from all of them out of an abundance of caution.

ordered that any response to such motion(s) be filed by Wednesday, November 26, and authorized parties to file consolidated responses. *Id.* at ¶ 2.

4. Three Appellants (or sets of Appellants) have now filed motions for a stay pending appeal—the Ochadleus Stay Motion, the Quinn Stay Motion, and the Williams Stay Motion.

5. The City submits that it requires more than 30 pages to fully respond to the issues raised in these motions, as well as the important issues they have left unaddressed. Accordingly, the City respectfully requests that it be (1) granted relief from any applicable page limits, and (2) permitted to file its Consolidated Objection in excess of 30 pages, but not to exceed 35 pages.

WHEREFORE, the City respectfully requests that the Court (a) enter an order, substantially in the form attached as Exhibit 1, granting the relief requested herein, and (b) grant such other and further relief to the City as the Court may deem proper.

Dated: November 26, 2014

Respectfully submitted,

/s/ Heather Lennox

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SUMMARY OF ATTACHMENTS

The following documents are attached to this Motion, labeled in accordance with Local Bankruptcy Rule 9014-1(b).

Exhibit 1	Proposed Form of Order
Exhibit 2	None [Movant Seeks <i>Ex Parte</i> Relief]
Exhibit 3	None [Brief Not Required]
Exhibit 4	Certificate of Service
Exhibit 5	None [No Affidavits Filed Specific to this Motion]
Exhibit 6	None [No Documentary Exhibits Filed Specific to this Motion]

Exhibit 1

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CONSOLIDATED OBJECTION TO APPELLANTS' MOTIONS FOR
STAY PENDING APPEAL IN EXCESS OF POTENTIALLY
APPLICABLE PAGE LIMITS**

This matter having come before the Court on the *Ex Parte* Motion of the City of Detroit for an Order Authorizing It To File a Consolidated Opposition to Appellants' Motions for Stay Pending Appeal in Excess of Potentially Applicable Page Limits (the "*Ex Parte* Motion"), filed by the City of Detroit, Michigan (the "City"); and the Court being fully advised in the premises;

It is hereby ORDERED that:

1. The *Ex Parte* Motion is Granted.
2. The City is granted relief from any applicable page limits and may file its consolidated opposition to the stay motions in excess of 30 pages but not to exceed 35 pages.

Exhibit 4

CERTIFICATE OF SERVICE

I, Heather Lennox, hereby certify that the foregoing *Ex Parte* Motion of the City of Detroit for an Order Authorizing It To File a Consolidated Objection to Appellants' Motions For Stay Pending Appeal in Excess of Potentially Applicable Page Limits was filed and served via the Court's electronic case filing and noticing system on this 26th day of November, 2014.

/s/ Heather Lennox _____